

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	§	
	§	
Barry J. Gilhuly et al.	§	Confirmation No.: 9501
	§	
Application No.: 10/088,784	§	Art Unit: 2142
	§	
Filed: June 26, 2002	§	Examiner: John M.J. MacIwinen

For: SYSTEM AND METHOD FOR PUSHING INFORMATION FROM A HOST SYSTEM TO A
MOBILE DATA COMMUNICATION DEVICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

As listed on the accompanying Form PTO/SB/08A and/or Form PTO/SB/08B, submitted herewith are copies of the indicated references which Applicant believes may be material to the examination of the above-identified application, and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

Additionally, Applicant is submitting herewith as an Appendix the following information with respect to Applicant's duty of disclosure relating to one or more of the following: (a) co-pending, commonly assigned patent applications that may have related subject matter; (b) products/papers in pending litigation involving patents that may have subject matter related to the subject matter of the instant patent application; and (c) such other sources as may be applicable.

It is believed that paper copies of the materials with respect to the co-pending related patent applications (that is, copies of the applications themselves or of the prosecution papers such as the Office Actions, art cited therein and responses thereto, etc.) are readily available to the Examiner as they are part of the USPTO database. Accordingly, they are not being provided herewith as part of this filing. However, should the Patent Office require the copies at any time during the pendency of the instant patent application, Applicant will comply therewith accordingly.

Further, since the NPL and foreign references identified herein are being filed electronically, they are being transmitted in multiple separate filings due to the limit of 20 electronic documents per filing. Accordingly, all such multiple separate electronic filings should be treated as part of the instant IDS submission although the subsequent electronic filings may not include a separate copy of this present supplemental information disclosure statement.

The filing of this information disclosure statement and/or any attachments hereto shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Further, the filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Written notification that the enclosed references have been considered in their entirety by return of a copy of the enclosed form, completed by the Examiner, is respectfully requested.

IDENTIFICATION OF TIME OF FILING THE
INFORMATION DISCLOSURE STATEMENT

- ☐ This Information Disclosure Statement is being filed within three months of the filing date of the national application other than a continued prosecution application under §1.53(d) or within three months of the date of entry of the national stage as set forth in §1.491 in an international application or before the mailing date of a first Office Action on the merits or before the mailing of a first Office Action after the filing of a request for continued examination under §1.114. (37 CFR §1.97(b)).
- ☒ This Information Disclosure Statement is being filed after the period specified in 37 CFR §1.97(b) but before the mailing date of a final action under §1.113 or a notice of allowance under §1.311 or an action that otherwise closes the prosecution in the application. (37 CFR §1.97(c)).
- ☒ Accompanying this transmittal is:
- ☐ the statement specified in 37 CFR §1.97(e); or
- ☒ the fee set forth in 37 CFR §1.17(p) of 180.00.
- ☐ This Information Disclosure Statement is being filed after the period specified in 37 CFR §1.97(c) but before or simultaneously with the payment of the issue fee. (37 CFR §1.97 (d)).

Accompanying this transmittal is:

- a. the statement as specified in 37 CFR §1.97(e); and
- b. the fee set forth in 37 CFR §1.17(p) of \$180.00.

CERTIFICATION FOR INFORMATION DISCLOSURE STATEMENT 37 CFR §1.97(e)
(Only if Required Above)

I, the person(s) signing below certify:

- ☐ that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement (37 CFR §1.97(e)(1)); or

- [] that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in the counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonably inquire, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement (37 CFR §1.97(c)(2)).

FEE PAYMENT

- [X] authorized payment in the amount of \$180.00 as indicated on electronic filing paperwork
- [] charge Deposit Account No. 03-1130 \$180.00
- [] Applicant believes no additional fees are due for the filing of this IDS. However, if any additional fees are due, or any overpayments have been made, please charge, or credit, Deposit Account No. 03-1130.

Dated this 22nd day of September, 2008.

Respectfully Submitted,

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Appendix to IDS of September 22, 2008
Appl. No. 10/088,784

CO-PENDING RELATED PATENT APPLICATION INFORMATION

No.	Document	Filing Date/ Mailing Date	Art Unit Number/ Co-Pending Appl. Examiner
1	Appl. No. 10/151,642 (Publ. No.: 2002/0194285)	May 20, 2002	2154 Jungwon Chang
	Preliminary Amendment	March 7, 2003	
	Office Action	August 19, 2005	
	Response to Office Action dated August 19, 2005	October 21, 2005	
	Office Action	November 28, 2005	
	Response to Office Action dated November 28, 2005	May 18, 2006	
	Final Office Action	August 4, 2006	
	Response to Office Action dated August 4, 2006	October 4, 2006	
	Advisory Action	October 23, 2006	
	RCE with Response	February 5, 2007	
	Notice of Allowance	July 11, 2007	
	RCE with IDS	October 10, 2007	
	Second Notice of Allowance	February 21, 2008	
	Issue Fee Paid	May 21, 2008	
	Supplemental Notice of Allowability	July 14, 2008	
2	Appl. No. 10/207,418 (Publ. No.: 2003/0005066)	July 29, 2002	2153 Aaron Strange
	Preliminary Amendment	July 20, 2005	
	Preliminary Amendment	November 11, 2005	
3	Appl. No. 10/671,162 (Publ. No.: 2004/0073619)	September 25, 2003	2153 Aaron Strange
	Office Action	April 22, 2005	

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No.	Document	Filing Date/ Mailing Date	Art Unit Number/ Co-Pending Appl. Examiner
	Response to Office Action dated April 22, 2005	September 8, 2005	
	Final Office Action	November 30, 2005	
	RCE with Response	May 30, 2006	
	Office Action	October 6, 2006	
	Response to Office Action dated October 6, 2006	April 5, 2007	
	Request for Information from PTO	June 29, 2007	
	Response to Request for Information	October 23, 2007	
	Office Action	May 21, 2008	
	Response to Office Action dated May 21, 2008	May 28, 2008	
	Notice of Non-Compliant Amendment	June 16, 2008	
	Response to Notice of Non-Compliant Amendment	June 25, 2008	
4	Appl. No. 09/782,107 (Publ. No.: 2001/0013071)	February 13, 2001	2153 Aaron Strange
	Office Action	March 27, 2003	
	Response to Office Action dated March 27, 2003	August 18, 2003	
	Office Action	October 23, 2003	
	Notice of Appeal	March 15, 2004	
	RCE with Response	August 14, 2004	
	Office Action	November 17, 2004	
	Response to Office Action dated November 17, 2004	November 23, 2004	
	Office Action	March 18, 2005	

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No.	Document	Filing Date/ Mailing Date	Art Unit Number/ Co-Pending Appl. Examiner
	Response to Office Action dated March 18, 2005	September 15, 2005	
	Final Office Action	December 28, 2005	
	RCE with Response	June 29, 2006	
	Office Action	October 13, 2006	
	Response to Office Action dated October 13, 2006	April 13, 2007	
	Office Action	July 3, 2007	
	RCE with Response	October 30, 2007	
	Office Action	January 24, 2008	
	Response to Office Action dated January 24, 2008	May 1, 2008	
	Final Office Action	September 12, 2008	
5	Appl. No. 09/783,726 (Publ. No.: 2001/0005857)	February 14, 2001	2153 Aaron Strange
	Preliminary Amendment	June 19, 2002	
	Office Action	September 25, 2002	
	Response to Office Action dated September 25, 2002	February 5, 2003	
	Final Office Action	April 16, 2003	
	Response to Office Action dated April 16, 2003	September 4, 2003	
	Office Action	February 12, 2004	
	Response to Office Action dated February 12, 2004	May 12, 2004	
	Examiner Interview Summary	December 6, 2004	
	Office Action	August 10, 2004	
	Response to Office Action dated August 10, 2004	February 10, 2005	

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No.	Document	Filing Date/ Mailing Date	Art Unit Number/ Co-Pending Appl. Examiner
	Final Office Action	July 27, 2005	
	Pre-Appeal Brief Request for Review	December 13, 2005	
	Decision from Pre-Appeal Brief Review	January 5, 2006	
	Office Action	March 28, 2006	
	Response to Office Action dated March 28, 2006	June 28, 2006	
	Final Office Action	October 13, 2006	
	Notice of Appeal	April 12, 2007	
	RCE with Response	October 30, 2007	
	Office Action	July 17, 2008	
6	Appl. No. 09/782,412 (Publ. No.: 2001/0005861)	February 13, 2001	2153 Aaron Strange
	Office Action	January 7, 2004	
	Response to Office Action dated January 7, 2004	July 1, 2004	
	Final Office Action	September 8, 2004	
	Response to Final Office Action dated September 8, 2004	December 2, 2004	
	Examiner Interview Summary	December 6, 2006	
	Office Action	March 1, 2005	
	Response to Office Action dated March 1, 2005	June 27, 2005	
	Office Action	September 22, 2005	
	Response to Office Action dated September 22, 2005	March 22, 2006	
	Office Action	July 17, 2006	
	RCE with Response	January 16, 2007	

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No.	Document	Filing Date/ Mailing Date	Art Unit Number/ Co-Pending Appl. Examiner
	Office Action	April 10, 2007	
	Response to Office Action dated April 10, 2007	July 10, 2007	
	Final Office Action	September 25, 2007	
	RCE with Response	October 31, 2007	
	Office Action	January 28, 2008	
	Response to Office Action dated January 28, 2008	May 16, 2008	
	Final Office Action	September 15, 2008	
7	Appl. No. 10/277,294 (Publ. No.: 2003/0050987)	October 22, 2002	2155 Alicia Baturay
	Preliminary Amendment	October 22, 2002	
	Office Action	August 23, 2006	
	Response to Office Action dated August 23, 2006	February 22, 2007	
	Final Office Action	May 21, 2007	
	RCE with Response	October 31, 2007	
	Office Action	February 4, 2008	
	Response to Office Action dated February 4, 2008	May 23, 2008	
	Final Office Action	July 29, 2008	
	Response to Office Action dated July 29, 2008	September 19, 2008	
8	Appl. No. 11/849,785	September 4, 2007	2617 Unassigned
	Preliminary Amendment	October 31, 2007	
9	Appl. No. 11/789,670 (Publ. No.: 2007/0288582)	April 24, 2007	2153 Unassigned

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No.	Document	Filing Date/ Mailing Date	Art Unit Number/ Co-Pending Appl. Examiner
10	Appl. No. 09/928,983 (Publ. No.: 2002/0049818)	August 13, 2001	2153 Aaron Strange
	Office Action	November 30, 2004	
	Response to Office Action dated November 30, 2004	December 15, 2004	
	Office Action	April 28, 2005	
	Response to Office Action dated April 28, 2005	July 28, 2005	
	Supplemental Amendment	September 16, 2005	
	Final Office Action	October 19, 2005	
	Response to Office Action dated October 19, 2005	January 17, 2006	
	Office Action	April 5, 2006	
	Response to Office Action dated April 5, 2006	October 5, 2006	
	Request for Information from PTO	January 4, 2007	
	Response to Request for Information	June 4, 2007	
	Final Office Action	May 23, 2008	
	RCE with Response	August 22, 2008	
11	Appl. No. 11/264,237 (Publ. No.: 2006/0069737)	November 1, 2005	2153 Aaron Strange
12	Appl. No. 11/300,040 (Publ. No.: 2006/0095525)	December 14, 2005	2153 Aaron Strange
	Preliminary Amendment	June 23, 2006	
13	Appl. No. 09/925,810 (Publ. No.: 2002/0029258)	August 9, 2001	2153 Aaron Strange
	Office Action	March 11, 2008	
	Response to Office Action dated March 11, 2008	April 10, 2008	

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No.	Document	Filing Date/ Mailing Date	Art Unit Number/ Co-Pending Appl. Examiner
	Office Action	July 11, 2008	
	Response to Office Action dated July 11, 2008	September 2, 2008	
14	Appl. No. 10/893,455 (Publ. No.: 2004/0252727)	July 16, 2004	2153 Aaron Strange
	Preliminary Amendment	June 23, 2006	
15	Appl. No. 10/381,163 (Publ. No.: 2004/0136358)	March 19, 2003	2153 Aaron Strange
16	Appl. No. 10/240,945 (Publ. No.: 2004/0024824)	January 29, 2003	2153 Aaron Strange
	Preliminary Amendment	June 23, 2006	

PAPERS IN RELATED LITIGATION IN CANADA

No.	Document	Date
1	Statement of Defence and Counterclaim by Defendant Visto Corporation in Court File No. T-1105-06 in Federal Court, Toronto, Ontario, Canada (Research In Motion Limited v. Visto Corporation), 31 pages.	November 15, 2006
2	Pinpoint Citations in Satisfaction of the Order of Madam Prothonotary Tabib Dated December 19, 2006 in Court File No. T-1105-06, 31 pages.	January 31, 2007

PAPERS IN RELATED LITIGATION IN EUROPE

No.	Document	Date
1	Opposition to EP 1 096 727 of Research In Motion Limited by Visto Corporation, 39 pages.	December 21, 2006
2	Opposition to EP 1 126 662 of Research In Motion Limited by Visto Corporation, 22 pages.	December 13, 2007
3	Statement of Defence and Counterclaim by Defendant Visto Corporation in HC-06-CO4227 (the "DNT" Action) in the High Court of Justice, Chancery Division, Patents Court, UK (Research In Motion UK Limited v. Visto Corporation), 77 pages.	February 2, 2007